

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CORIZON, INC.,)
f/k/a Correctional Medical Services, Inc.,)
)
Plaintiff,)
)
v.) Case No. 4:10-cv-02430-DDN
)
WEXFORD HEALTH SOURCES, INC.,)
)
Defendant.)

**DEFENDANT WEXFORD HEALTH SOURCES, INC.'S
REPORT ON THE STATUS OF ALTERNATIVE DISPUTE RESOLUTION**

Defendant, Wexford Health Sources, Inc. (“Wexford”), submits this report on the status of Alternative Dispute Resolution (“ADR”).

1. On November 3, 2011, the Court issued its Order Referring Case to Alternative Dispute Resolution (“ADR Order”) (Doc. 35).

2. The ADR Order designated Plaintiff’s counsel, James R. Wyrsch, as lead counsel and required Mr. Wyrsch to “notify the clerk of the agreed choice of neutral selected by the parties and the date, time and location of the initial ADR Conference,” no later than April 1, 2012 (*id.* at p. 2, ¶¶ (d), (e)). *See also* Doc. 34 ¶ 4 (Case Management Order requiring filing of choice of neutral and details of ADR conference); Local Rule 16 - 6.02(A)(1) (an ADR Order “shall designate a lead counsel who is responsible for coordinating ADR”). Mr. Wyrsch did not contact counsel for Wexford to discuss proposed neutrals or the scheduling of an ADR Conference.

3. On Friday March 30, counsel for Wexford contacted counsel for Corizon regarding the ADR Order. Specifically, Wexford proposed that the parties jointly request an extension of the ADR deadlines and discovery deadlines.

4. The parties are still actively pursuing discovery at this juncture in the litigation, and without further factual development, Wexford believes participation in ADR would not be fruitful. The parties currently are in the process of scheduling at least nine additional depositions in four different states. Although Wexford served 6 deposition notices on February 24, 2012, Corizon did not propose agreeable dates until March 28, 2012). Wexford also is locating and serving non-party witnesses, evaluating whether to depose a newly-disclosed witness of Corizon (disclosed on March 28, 2012), and responding to Corizon's second set of written discovery (also served on March 28). Additionally, Corizon has yet to respond to Wexford's second set of written discovery or to produce documents to Wexford. Until the parties make additional progress on these matters, Wexford believes that participation in ADR would be premature.

5. If the parties cannot reach agreement on a proposed joint request for extension of the ADR and discovery deadlines in the near future, Wexford will unilaterally file a motion with the Court. Should the Court desire, counsel for Wexford are available to discuss these matters further.

Dated: April 2, 2012

Respectfully submitted,

SNR Denton US LLP

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CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2012, the foregoing was served, via the electronic filing system of the U.S. District Court for the Eastern District of Missouri, on the following:

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